

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** By **CHAIRMAN TRUDI SCHMIDT**, on April 3, 2007 at 4:00 P.M., in Room 317-A Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Trudi Schmidt, Chairman (D)  
Sen. Keith Bales (R)  
Sen. Gregory D. Barkus (R)  
Sen. John Brueggeman (R)  
Sen. John Cobb (R)  
Sen. Mike Cooney (D)  
Sen. Steven Gallus (D)  
Sen. Ken (Kim) Hansen (D)  
Sen. Bob Hawks (D)  
Sen. Rick Laible (R)  
Sen. Lane L. Larson (D)  
Sen. Dave Lewis (R)  
Sen. Greg Lind (D)  
Sen. Corey Stapleton (R)  
Sen. Bill Tash (R)  
Sen. Mitch Tropila (D)  
Sen. David E. Wanzienried (D)  
Sen. Dan Weinberg (D)  
Sen. Carol Williams (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Prudence Gildroy, Committee Secretary  
Taryn Purdy, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.

Executive Action: HB 540; HB 565; HB 19; HB 204; HB  
214; HB 317; HB 523; HB 618; HB  
791; HB 350; HB 522; HB 139; HB  
241; HB 634

00:00:00

EXECUTIVE ACTION ON HB 540

00:01:29 **Motion:** SEN. COONEY moved that HB 540 BE CONCURRED IN.

**Discussion:**

00:01:44 Sen. Cooney

00:02:07 **Vote:** Motion passed 11-0 with SEN. BALES voting aye.  
SEN. BALES and SEN. STAPLETON voted aye by proxy.

00:02:32 Taryn Purdy

EXECUTIVE ACTION ON SB 565

00:02:58 **Motion/Vote:** SEN. COBB moved that SB 565 DO PASS.  
Motion carried 13-0 by voice vote.

EXECUTIVE ACTION ON HB 19

00:03:18 **Motion/Vote:** SEN. COONEY moved that HB 19 BE CONCURRED  
IN. Motion carried 13-1 by voice vote with SEN. BARKUS  
voting no.

EXECUTIVE ACTION ON HB 204

00:04:36 **Motion:** SEN. BARKUS moved that HB 214 BE CONCURRED IN.

00:04:46 **Substitute Motion/Vote:** SEN. COONEY made a substitute  
motion that HB 204 BE TABLED. Substitute motion carried  
12-7 by roll call vote with SEN. BALES, SEN. BARKUS,  
SEN. BRUEGGEMAN, SEN. LAIBLE, SEN. LEWIS, SEN.

STAPLETON, and SEN. TASH voting no. SEN. BALES, SEN. GALLUS, SEN. LARSON, SEN. WEINBERG, and SEN. WILLIAMS voted by proxy.

EXECUTIVE ACTION ON HB 214

00:07:08 Motion: SEN. WANZENRIED moved that HB 317 BE CONCURRED IN.

Discussion:

00:07:09 Sen. Wanzenried

00:07:18 Substitute Motion/Vote: SEN. TROPILA made a substitute motion that HB 317 BE TABLED. Motion carried by voice vote 10-3 with SEN COBB, SEN. LIND, and SEN. WANZENRIED voting no.

00:07:56 Sen. Wanzenried

EXECUTIVE ACTION ON HB 317

00:08:41 Motion: SEN. BRUEGGEMAN moved that HB 317 BE CONCURRED IN.

00:08:55 Sen. Lewis

00:09:49 Substitute Motion/Vote: SEN. LEWIS made a substitute motion that HB 317 BE TABLED. Substitute motion carried 9-4 by voice vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN and SEN. STAPLETON voting no. SEN. BRUEGGEMAN voted by proxy.

EXECUTIVE ACTION ON HB 523

00:11:15 Motion: SEN. WANZENRIED moved that HB 523 BE TABLED.

00:11:42 Sen. Wanzenried withdrew his motion.

Discussion:

00:11:48 Sen. Bales to Taryn Purdy

00:12:34 **Motion:** SEN. BALES moved that HB 523 BE CONCURRED IN.

**Discussion:**

00:12:45 Taryn Purdy

00:13:37 Sen. Tash

00:14:39 Sen. Wanzenried

00:15:01 **Substitute Motion/Vote:** SEN. WANZENRIED made a substitute motion that HB 523 BE TABLED. Substitute motion carried 11-8 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting no. SEN. GALLUS, SEN. LARSON, SEN. WEINBERG and SEN. WILLIAMS voted by proxy.

**EXECUTIVE ACTION ON HB 618**

00:16:58 **Motion:** SEN. BRUEGGEMAN moved that HB 618 BE CONCURRED IN.

**Discussion:**

00:17:05 Sen. Schmidt

00:18:31 **Vote:** Motion failed 8-11 by roll call vote with SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH voting aye. SEN. GALLUS, SEN. LARSON, SEN. WEINBERG, and SEN. WILLIAMS voted no by proxy.

00:18:39 **Motion/Vote:** SEN. WANZENRIED moved that HB 617 BE TABLED AND THE VOTE REVERSED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 791**

00:19:24 **Motion:** SEN. BRUEGGEMAN moved that HB 791 BE CONCURRED IN.

**Discussion:**

00:19:53 Sen. Wanzenried

00:20:23 Taryn Purdy

00:21:12 Sen. Hawks

00:21:53 Sen. Barkus to Cathy Duncan, Legislative Fiscal  
Division

00:24:48 Sen. Lewis

00:26:32 **Vote:** Motion failed 8-11 by roll call vote with SEN.  
BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB, SEN.  
LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH  
voting aye. SEN. COONEY, SEN. GALLUS, SEN. LARSON,  
SEN. WEINBERG, and SEN. WILLIAMS voted by proxy.

00:26:49 **Motion/Vote:** SEN. HAWKS moved that HB 791 BE TABLED  
AND THE VOTE REVERSED. Motion carried unanimously by  
voice vote.

**EXECUTIVE ACTION ON HB 350**

00:27:25 **Motion:** SEN. BRUEGGEMAN moved that HB 350 BE CONCURRED  
IN.

**Discussion:**

00:27:54 Sen. Hawks

00:29:02 Sen. Laible

00:29:58 Sen. Bales

00:30:27 Sen. Wanzenried

00:31:21 Sen. Laible

00:31:39 Sen. Wanzenried

00:32:53 **Vote:** Motion failed 8-11 by roll call vote with  
SEN. BALES, SEN. BARKUS, SEN. BRUEGGEMAN, SEN. COBB,  
SEN. LAIBLE, SEN. LEWIS, SEN. STAPLETON, and SEN. TASH

voting aye. SEN. GALLUS, SEN. LARSON, SEN. WEINBERG,  
and SEN. WILLIAMS voted by proxy.

00:33:01 Motion/Vote: SEN. WANZENRIED moved that HB 791 BE  
TABLED AND THE VOTE REVERSED. Motion carried  
unanimously by voice vote.

EXECUTIVE ACTION ON HB 522

00:33:51 Motion: SEN. BARKUS moved that HB 522 BE CONCURRED IN.

Discussion:

00:34:00 Sen. Laible

00:34:45 Sen. Lewis

00:35:25 Vote: Motion carried 17-2 by roll call vote with SEN.  
COONEY and SEN. HANSEN voting no. SEN. GALLUS, SEN.  
LARSON, SEN. LIND, SEN. WEINBERG, and SEN. WILLIAMS  
voted by proxy.

00:37:08 Sen. Lewis

EXECUTIVE ACTION ON HB 139

00:37:57 Motion: SEN. COBB moved that HB 139 BE CONCURRED IN.

Discussion:

00:38:36 Sen. Wanzenried

00:39:24 Sen. Cobb

00:40:00 Sen. Brueggeman

00:40:40 Sen. Cobb withdrew his motion

00:40:56 Sen. Laible to Sen. Brueggeman

00:42:39 Sen. Laible to Clayton Schenck, Legislative Fiscal  
Analyst

00:46:18 Sen. Cobb

00:46:59 Sen. Wanzenried to Sen. Cobb

00:48:55 Taryn Purdy

00:49:28 Sen. Brueggeman

00:50:22 Sen. Brueggeman

00:50:36 **Motion:** SEN. COBB moved that HB 139 BE CONCURRED IN.

00:50:48 **Motion:** SEN. COBB moved that AMENDMENT HB013902.ATP BE ADOPTED.

**EXHIBIT** (fcs71b01)

**Discussion:**

00:50:50 Sen. Cobb

00:51:07 Sen. Laible

00:51:26 **Motion:** SEN. WANZENRIED moved TO SEGREGATE #2 AND #3.

00:51:43 Sen. Brueggeman

00:52:08 Sen. Cobb

00:52:49 Taryn Purdy

00:52:52 Sen. Cobb clarified motion.

00:53:14 Sen. Wanzenried

00:53:43 **Vote:** Motion TO STRIKE SECTION 2, 6 AND 8 carried unanimously by voice vote.

00:53:57 **Motion:** SEN. COBB moved TO STRIKE "\$300,000" AND INSERT "\$400,000".

**Discussion:**

00:54:24 Sen. Wanzenried

00:55:08 Clayton Schenck

00:55:46 **Vote:** Motion carried 13-3 by voice vote with SEN. BARKUS, SEN. TROPILA, and SEN. WANZENRIED voting no.

00:56:06 **Motion/Vote:** SEN. COBB moved that HB 139 BE CONCURRED IN AS AMENDED. Motion carried 15-1 by voice vote with SEN. WANZENRIED voting no.

**EXECUTIVE ACTION ON HB 241**

00:57:23 **Motion:** SEN. LAIBLE moved that HB 241 BE CONCURRED IN.

**Discussion:**

00:57:58 Sen. Wanzenried

00:58:27 **Substitute Motion/Vote:** SEN. COBB made a substitute motion that HB 241 BE TABLED. Substitute motion carried 15-1 by voice vote with SEN. BARKUS voting no.

**EXECUTIVE ACTION ON HB 634**

00:59:36 **Motion:** SEN. COBB moved that HB 634 BE CONCURRED IN.

**Discussion:**

01:00:14 Sen. Lewis

01:00:11 Sen. Brueggeman

01:00:44 Taryn Purdy

01:01:02 Sen. Brueggeman

01:01:05 Sen. Cobb withdrew his motion

01:01:42: Sen. Schmidt

01:03:21 **Motion:** SEN. BRUEGGEMAN moved that HB 634 BE CONCURRED IN.

01:03:28 Sen. Brueggeman

01:03:48 Sen. Wanzenried to Sen. Schmidt

01:04:33 Sen. Brueggeman



01:04:51 Sen. Lind

01:05:12 **Vote: Motion carried 15-0 by voice vote.**

**ADJOURNMENT**

Adjournment: 5:14 P.M.

---

SEN. TRUDI SCHMIDT, Chairman

---

PRUDENCE GILDROY, Secretary

TS/pg

Additional Exhibits:

**EXHIBIT ([fcs71bad.pdf](#))**